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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/795,993	03/10/2004	Wesley M. Mays	114944-00451	2242

27557 7590 02/15/2007  
BLANK ROME LLP  
600 NEW HAMPSHIRE AVENUE, N.W.  
WASHINGTON, DC 20037

EXAMINER
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POPE, DARYL C

ART UNIT	PAPER NUMBER
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2612

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/15/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/795,993

Applicant(s)

MAYS, WESLEY M.

Examiner

DARYL C. POPE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### **ART REJECTION:**

#### ***Claim Rejections - 35 USC § 103***

3. Claims 1-14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al(Takahashi) in view of Pruzan et al(7,149,206).

-- In considering claim 1, the claimed subject matter that is met by Takahashi includes:

- 1) the sub processor module is met by the information processing unit(0203);
- 2) the user interface is met by the information input device(0208) and voice input device(0205);

**- Takahashi does not show:**

- 1) the antenna, and the communication medium comprising a vehicle data bus.

Although not specifically shown by Takahashi, use of vehicle communication medium comprising a vehicle data bus is well known in the art. In related art, Pruzan et al(Pruzan) discloses a system for vehicle communication in which a vehicle bus(24) is utilized for intercommunication between various controllers in a vehicle communication system(see: column 3, lines 31-44).

Since use of a data bus as a communication medium for a vehicle is well known as taught by Pruzan, it would have been obvious to one of ordinary skill in the art at the

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time the invention was made to incorporate the bus(24) of Pruzan into the system of Takahashi, since use of a data bus would have allowed a larger volume of data to be intercommunicated throughout the vehicle system, and as well would have helped reduce interference during the transmission of data throughout the bus system.

With regards to the antenna, although not specifically disclosed by Takahashi, it would have been obvious that some form of antenna would have been included in the road vehicle communication unit(0202), since this would have been necessary in order for the onboard unit(0201) to intercommunicate with the road side units.

-- With regards to claim 2, the examiner takes Official Notice that in the vehicle communication art, use of an antenna located in a vehicle windshield is well known, and therefore, it would have been obvious to one of ordinary skill in the art at the time the invention as made to incorporate an antenna into the vehicle windshield of Takahashi, since this would have reduced environmental damage the commonly occurs to vehicle antennae.

-- With regards to claim 3, it would have been obvious that the information processing unit(0203) would have included a processor for processing the data from the antenna since this would have been necessary in order for information received from the roadside unit to be disseminated throughout the vehicle system.

-- With regards to claim 4, the external source including an external communications module is met by the road side unit(0103) which communicates information to the vehicle unit.

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-- With regards to claim 5, the user interface system including a speech recognition system module is met by the voice input device(0205).

-- Claim 6 recite subject matter that is met as discussed in claim 6 above(see: column 11, lines 1-14).

-- Claim 7 recites subject matter that is met as discussed in claim 1 above(see: abstract).

-- With regards to claim 8, although use of radio frequency technology is taught by Takahashi, it would have been obvious to one of ordinary skill in the art to substitute Bluetooth Technology into the system of Takahashi, since this would have provided an equivalent communications means in the system that would have been less susceptible to interference.

-- With regards to claim 9, the communications medium being hardwired is met by the hard-wired communications medium of the vehicle on board unit(0201) as seen in figure 2.

-- Claims 10-14, and 16 recite subject matter that is met as discussed in claims 1-9 above.

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al(Takahashi) in view of Pruzan et al(Pruzan), and further in view of Akiyama(6,694,235).

-- With regards to claim 15, although not specifically taught by Takahashi, use of vehicle communication systems in which received data is conveyed to a vehicle engine control processor is well known. In related art, Akiyama discloses a vehicle

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communication system wherein information received from an external source is processed and utilized to control a vehicle engine control unit(11, column 6, lines 1-25). Since use of processed signals to control a vehicle engine is well known, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the vehicle ECU(11) of Akiyama into the system of Takahashi in view of Pruzan, since this would have provided a means for allowing an external source to govern the operation of a vehicle in the event safety purposes(such as vehicle braking) are necessary outside of driver control.

**REMARKS:*****Response to Arguments***

5. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL C. POPE whose telephone number is 571-272-2959. The examiner can normally be reached on M-TH 9:00-7:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MIKE HORABIK can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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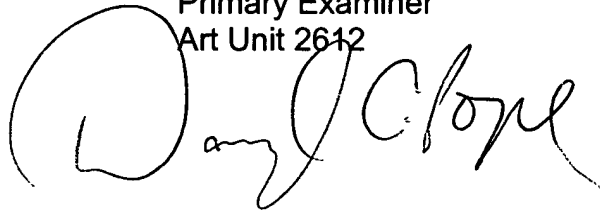
Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daryl C. Pope

February 11, 2007

DARYL C POPE  
Primary Examiner  
Art Unit 2612

A handwritten signature in black ink, appearing to read "Daryl C. Pope", is written over the printed name and title.